

SENATE BILL 174

L2

0lr0409

By: **Senator Glassman**

Introduced and read first time: January 20, 2010

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2010

CHAPTER _____

1 AN ACT concerning

2 **~~Charter~~ Counties – Local Laws – Digital Copies**

3 FOR the purpose of authorizing a charter or code county to make a digital copy of a
4 certain compilation of laws available on the Internet as an alternative to a
5 requirement to provide certain copies to certain entities; altering ~~a certain~~
6 ~~requirement~~ the number of copies of a certain compilation that a charter or code
7 county must provide ~~a copy of a certain compilation of laws~~ to the Department
8 of Legislative Services ~~to authorize the copy to be in either a digital or printed~~
9 ~~form; authorizing a charter county under certain circumstances to make a~~
10 ~~digital copy of certain compilations or codes of local laws available on the~~
11 ~~Internet as an alternative to a requirement to deposit copies with certain State~~
12 ~~agencies; making stylistic changes; and generally relating to compilations and~~
13 codes of local laws ~~of charter counties.~~

14 BY repealing and reenacting, with amendments,
15 Article 25A – Chartered Counties of Maryland
16 Section 7
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2009 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article 25B – Home Rule for Code Counties
21 Section 12
22 Annotated Code of Maryland
23 (2005 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 25A – Chartered Counties of Maryland**

4 7.

5 (a) (1) At the end of each calendar or fiscal year, each charter county shall
6 furnish in a convenient and legible compilation a complete set of all laws enacted
7 during that year under the “Express Powers Act” in § 5 of this article, whether to
8 enact, amend, or repeal a local law.

9 (2) The laws in the compilation shall be in numerical sequence,
10 beginning with No. 1, and in a separate series for each year.

11 (b) (1) Copies of this compilation shall be [made]:

12 (I) **MADE** available for inspection at the office of the county
13 council, county executive, or county manager, during normal business hours; and

14 (II) [copies shall be kept] **KEPT** on permanent record in the
15 same office.

16 (2) [Copies also shall be furnished] **EACH CHARTER COUNTY SHALL:**

17 (I) **1. MAKE A DIGITAL COPY OF THE LAWS IN THE**
18 **COMPILATION AVAILABLE TO THE PUBLIC ON THE INTERNET; OR**

19 ~~(II) 2. FURNISH COPIES to the State Archives, the State Law~~
20 ~~Library, and to each member of the legislative delegation of the county; AND~~

21 **(II) FURNISH COPIES TO THE STATE ARCHIVES AND THE**
22 **STATE LAW LIBRARY.**

23 (3) [The foregoing copies] **COPIES UNDER ~~PARAGRAPH (2)(I)~~**
24 **PARAGRAPHS (2)(I)2 AND (II) OF THIS SUBSECTION** shall be furnished without
25 charge, and the county also may make other copies available at a reasonable cost to
26 any person.

27 (c) Not later than March 1 of the next succeeding year, the charter county,
28 without charge, shall furnish [4 copies] **A ~~DIGITAL OR~~ PRINTED COPY** of the
29 compilation to the State Department of Legislative Services.

30 (d) (1) [In addition to furnishing copies of the compilation to the State
31 Department of Legislative Services, the] **EACH** charter county shall provide to the

1 STATE Department OF LEGISLATIVE SERVICES a statement concerning any
2 referendum on any proposed local law.

3 (2) The statement shall include information on the results of any
4 referendum held during the year, and it shall include information as to any
5 referendum pending actually or potentially, but not yet held, at the end of the year.

6 (e) (1) At the end of each calendar year the State Department of
7 Legislative Services shall address an inquiry to each charter county inquiring whether
8 or not during that calendar year or its latest fiscal year it has enacted, amended or
9 repealed any portion of its laws under the "Express Powers Act".

10 (2) The charter county shall promptly answer the inquiry and shall
11 verify that ~~copies~~

12 ~~(I) THE TEXT OF ALL ENACTMENTS, AMENDMENTS, OR~~
13 ~~REPEALS HAVE BEEN POSTED ON THE INTERNET; OR~~

14 ~~(II) COPIES~~ of all such enactments, amendments, or repeals
15 have already been sent to the Department.

16 (f) (1) If the charter county ~~FAILS OR REFUSES TO POST THE~~
17 ~~COMPILATION ON THE INTERNET~~, fails or refuses to supply copies of this
18 compilation and of the results of any referenda thereon to the State Department of
19 Legislative Services by March 1 of the next succeeding year, or fails or refuses to
20 certify that there have been no such enactments, amendments, or repeals, or
21 referenda, during the last calendar or fiscal year, the Department shall promptly
22 certify that fact to the State Comptroller, who then may order the discontinuance of all
23 funds, grants or State aid which the charter county is entitled to receive under State
24 law.

25 (2) This section refers specifically to all funds, grants or State aid
26 which the charter county is entitled to receive under applicable provisions of State law
27 relating to the income tax, the tax on racing, the recordation tax, the admissions and
28 amusement tax, and the license tax.

29 (g) (1) The State Department of Legislative Services shall receive the
30 [several] compilations and statements [thus] delivered to it.

31 (2) The titles of the laws of the several charter counties which amend
32 their codes of public local laws shall be arranged in a logical and convenient order and
33 shall be delivered to the State printer for inclusion in the Session Laws of the General
34 Assembly for its regular session in that year.

35 (3) The titles of the laws of the charter counties which amend their
36 codes of public local laws shall be printed and identified as such, and they shall be

1 indexed with or in a supplemental volume to the laws enacted by the General
2 Assembly.

3 (h) Whenever the county council of any county in this State publishes or
4 issues in printed, mimeographed, or similar duplicated form a code or compilation
5 containing all or a portion of the public local laws of the county, the council shall
6 ~~deposit~~

7 ~~(1) MAKE A DIGITAL COPY OF THE CODE OR COMPILATION ON~~
8 ~~THE INTERNET; OR~~

9 ~~(2) DEPOSIT~~ copies free of charge with the following State agencies:
10 State Archives, 1 copy; State Law Library, 1 copy; State Department of Legislative
11 Services, 5 copies.

12 Article 25B – Home Rule for Code Counties

13 12.

14 (a) At the end of each calendar or fiscal year, each code county shall furnish
15 in a convenient and legible compilation a complete set of all local laws enacted,
16 amended, or repealed by the code county during that year.

17 (b) (1) Copies of this compilation shall be [made]:

18 (I) MADE available for inspection at the office of the board of
19 county commissioners during normal business hours; and

20 (II) [copies shall be kept] KEPT on permanent record at the
21 office of the board of county commissioners.

22 (2) [Copies also shall be furnished] EACH CODE COUNTY SHALL:

23 (I) 1. MAKE A DIGITAL COPY OF THE LAWS IN THE
24 COMPILATION AVAILABLE TO THE PUBLIC ON THE INTERNET; OR

25 2. FURNISH COPIES [to the State Archives, to the State
26 Law Library, and] to each member of the legislative delegation of the county; AND

27 (II) FURNISH COPIES TO THE STATE ARCHIVES AND THE
28 STATE LAW LIBRARY.

29 (3) [The foregoing copies] COPIES UNDER PARAGRAPHS (2)(I)2
30 AND (II) OF THIS SUBSECTION shall be furnished without charge, and the county
31 also may make other copies available at a reasonable cost to any person.

1 (c) Not later than March 1 of the next succeeding year, the code county,
2 without charge, shall furnish [4 copies] A PRINTED COPY of this compilation to the
3 State Department of Legislative Services.

4 (d) **(1)** [In addition to furnishing copies of the compilation to the State
5 Department of Legislative Services, the] EACH code county shall provide TO the
6 STATE Department OF LEGISLATIVE SERVICES a statement concerning any
7 referendum on any proposed local law.

8 **(2)** The statement shall include information on the results of any
9 referendum held during the year, and it shall include information as to any
10 referendum pending actually or potentially, but not yet held, at the end of the year.

11 (e) **(1)** At the end of each calendar year the State Department of
12 Legislative Services shall address an inquiry to each code county inquiring whether or
13 not during that calendar year or its latest fiscal year it has enacted, amended or
14 repealed any portion of its public local laws.

15 **(2)** The code county shall promptly answer the inquiry and shall verify
16 that copies of all such enactments, amendments, or repeals have already been sent to
17 the Department.

18 (f) **(1)** If the code county fails or refuses to supply copies of this
19 compilation and of the results of any referenda thereon to the State Department of
20 Legislative Services by March 1 of the next succeeding year, or fails or refuses to
21 certify that there have been no such enactments, amendments, or repeals, or
22 referenda, during the last calendar or fiscal year, the Department shall promptly
23 certify that fact to the State Comptroller, who then may order the discontinuance of all
24 funds, grants or State aid which the code county is entitled to receive under State law.

25 **(2)** This section refers specifically to all funds, grants or State aid
26 which the code county is entitled to receive under applicable provisions of State law
27 relating to the income tax, the tax on racing, the recordation tax, the admissions and
28 amusement tax, and the license tax.

29 (g) **(1)** The State Department of Legislative Services shall receive the
30 [several] compilations and statements [thus] delivered to it.

31 **(2)** The titles of the laws of the several code counties which amend
32 their codes of public local laws shall be arranged in a logical and convenient order and
33 shall be delivered to the State printer for inclusion in the Session Laws of the General
34 Assembly for its regular session in that year.

35 **(3)** The titles of the laws of the code counties which amend their codes
36 of public local laws shall be printed and identified as such, and they shall be indexed
37 with or in a supplemental volume to the laws enacted by the General Assembly.

1 (h) Whenever a code county in this State publishes or issues in printed,
2 mimeographed, or similar duplicated form a code or compilation containing all or a
3 portion of the public local laws of the county, the code county shall deposit copies free
4 of charge with the following State agencies: State Archives, 1 copy; State Law Library,
5 1 copy; State Department of Legislative Services, 5 copies.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.